


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.
05 OCT 26 AM 10: 54

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE

ALAINIA HAGERTY, and
JOSEPH MARKING,

Plaintiffs,

vs.

MEMPHIS PUBLISHING COMPANY,
a Tennessee Corporation, an operating
subsidiary of the E.W. Scripps Company, a
foreign corporation doing business as THE
COMMERCIAL APPEAL,

Defendant.

Case No. 05-2606 D V

Judge Donald

Magistrate Vescovo

JOINT ~~PROPOSED~~ SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held October ²⁶, 2005. Present were Florence M. Johnson, counsel for plaintiff, and Brian S. Faughnan, counsel for defendants.

At the conference, the following dates were established as the final dates for:

Initial Disclosures pursuant to Fed.R.Civ.P. 26(a) (1): November 17, 2005

Joining Parties: December 3, 2005

Amending Pleadings: December 3, 2005

Initial Motions to Dismiss: January 3, 2006

Completing all Discovery: July 3, 2006

- (a) Document Production: July 3, 2006
- (b) Depositions, Interrogatories and Request for Admissions: July 3, 2006
- (c) Expert Witness Disclosure (Rule 26):
 - (1) Disclosure of Plaintiff's Rule 26 Expert Information: May 3, 2006



(2) Disclosure of Defendant's Rule 26 Expert Information: June 3, 2006

(3) Expert Witness Depositions: July 3, 2006

Filing Dispositive Motions: August 3, 2006

Other Relevant Matters:

No depositions may be scheduled to occur after the discovery cut-off date. All motions, request for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cut-off date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer or objection shall be waived.

This case is set for jury trial, and the trial is expected to last five days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties shall engage in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a) (1) (A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

Deane K. Vesco
~~MAGISTRATE VESCOVO~~
UNITED STATES MAGISTRATE JUDGE
DATE: October 26, 2005

500932028



Notice of Distribution

This notice confirms a copy of the document docketed as number 8 in case 2:05-CV-02606 was distributed by fax, mail, or direct printing on October 26, 2005 to the parties listed.

Brian S. Faughnan
ARMSTRONG ALLEN, PLLC
80 Monroe Avenue
Ste. 700
Memphis, TN 38103--246

Lucian T. Pera
ARMSTRONG ALLEN, PLLC
80 Monroe Avenue
Ste. 700
Memphis, TN 38103--246

Florence M. Johnson
LAW OFFICE OF FLORENCE JOHNSON
100 N. Main Building
Ste. 3001
Memphis, TN 38103

Honorable Bernice Donald
US DISTRICT COURT